

**VIA CM/ECF FILING**

November 12, 2025  
The Honorable Sallie Kim  
United States District Court, Northern District of California  
Courtroom C – 15th Floor  
450 Golden Gate Ave.  
San Francisco, CA 94102

Re: *Arcell et al. v. Google LLC et al.*, 3:22-cv-02499-RFL  
Concerning Plaintiffs' Depositions of Deponents Cook and Pichai

Dear Judge Kim:

Plaintiffs respectfully move the Court for an *in camera* hearing regarding the depositions of Tim Cook, the CEO of Apple, and Sundar Pichai, the CEO of Google.

The grounds for the *in camera* motion are that the Court prohibited the Plaintiffs from taking these depositions now for the following reason:

“Plaintiffs claim that they are not required to explain why they need testimony specifically from Cook and Pichai, but in the absence of an explanation for why they seek depositions from them first, without any other depositions, the Court finds that the attempt to depose Cook and Pichai is still premature.” (ECF 175; Emphasis Added)

The Plaintiffs have no problem advising the Court as to why they need to take these depositions now; but it is the position of the Plaintiffs that it is improper and unfair to require them to reveal to the Defendants and the deponents, directly or indirectly, their strategies and tactics with regard to the prosecution and trial preparation of this case. For this reason, the Plaintiffs move for an *in camera* hearing so that they may explain to the Court why they need to take these depositions first.

Plaintiffs have always intended to take the depositions of other executives after the depositions of the CEOs, and the reason will be revealed to the Court *in camera*.

Neither Mr. Cook nor Mr. Pichai claimed that the taking of his deposition would cause him “annoyance, embarrassment, oppression, or undue burden or expense.” Rule 26(c)(1), Federal Rules of Civil Procedure.

Respectfully submitted,

/Joseph M. Alioto/  
Joseph M. Alioto  
Attorney for Plaintiffs

c: Google Defendant, via CM/ECF  
Attorneys for Apple Deponent